

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IME WATCHDOG, INC.,

Plaintiff,

-against-

SAFA ABDULRAHIM GELARDI, VITO GELARDI,
GREGORY ELEFTERAKIS, ROMAN POLLAK,
ANTHONY BRIDDA, IME COMPANIONS LLC,
CLIENT EXAM SERVICES LLC, and IME
MANAGEMENT & CONSULTING LLC,

Defendants.
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Case No.: 1:22-cv-1032 (PKC)(JRC)

**ANSWER TO FIRST AMENDED
COMPLAINT**

Defendants Safa Abdulrahim Gelardi, Vito Gelardi and IME Companions LLC
("Defendants"), for their answer to the First Amended Complaint dated October 13, 2022 (the
"Amended Complaint"), set forth as follows:

1. As the allegations set forth in paragraph "1" of the Amended Complaint call
for a legal conclusion and assert requests for relief, no response is required. To the extent a response
is required, Defendants deny the allegations in paragraph "1."

2. As the allegations set forth in paragraph "1" of the Amended Complaint
asserts a request for relief, no response is required. To the extent a response is required, Defendants
deny the allegations in paragraph "2."

3. Deny the allegations in paragraph "3."

4. Deny knowledge or information sufficient to form a belief as to the truth of
the allegations in paragraph "4."

5. Deny the allegations in paragraph "5."

6. Deny the allegations in paragraph “6,” except admit that the Individual Defendants are married.

7. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “7.”

8. Deny the allegations in paragraph “8.”

9. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “9,” and refer all questions of law to the Court.

10. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “10,” and refer all questions of law to the Court.

11. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “11,” and refer all questions of law to the Court.

12. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “12.”

13. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “13.”

14. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “14.”

15. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “15.”

16. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “16.”

17. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “17.”

18. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “18.”

19. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “19.”

20. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “20.”

21. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “21.”

22. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “22.”

23. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “23.”

24. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “24.”

25. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “25.”

26. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “26.”

27. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “27.”

28. Deny the allegations in paragraph “28.”

29. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “29.”

30. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “30.”

31. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “31.”

32. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “32,” and refer the Court to the cited case.

33. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “33,” and refer the Court to the cited case.

34. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “34,” and refer the Court to the cited cases.

35. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “35,” and refer the Court to the cited case.

36. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “36,” and refer the Court to the cited case.

37. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “37.”

38. Deny the allegations in paragraph “38.”

39. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “39.”

40. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “40.”

41. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “41.”

42. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “42.”

43. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “43.”

44. Deny the allegations in paragraph “44.”

45. Deny the allegations in paragraph “45.”

46. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “46.”

47. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “47.”

48. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “48.”

49. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “49.”

50. Deny the allegations in paragraph “50.”

51. Deny the allegations in paragraph “51.”

52. Deny the allegations in paragraph “52.”

53. Deny the allegations in paragraph “53.”

54. Deny the allegations in paragraph “54.”

55. Deny the allegations in paragraph “55.”

56. Deny the allegations in paragraph “56.”

57. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “57.”

58. Deny the allegations in paragraph “58.”

59. Deny the allegations in paragraph “59.”

60. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “60.”

61. Deny the allegations in paragraph “61.”

62. Admit the allegations of paragraph “62.”

63. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “63,” and refer the Court to the hearing transcript.

64. Admit the allegations of paragraph “64.”

65. Deny the allegations in paragraph “65.”

66. Deny the allegations in paragraph “66.”

67. Deny the allegations in paragraph “67.”

68. Deny the allegations in paragraph “68.”

69. Deny the allegations in paragraph “69.”

70. Deny the allegations in paragraph “70.”

71. Deny the allegations in paragraph “71.”

72. Deny the allegations in paragraph “72.”

73. As the allegations set forth in paragraph “73” of the Amended Complaint asserts a request for relief, no response is required. To the extent a response is required, Defendants deny the allegations in paragraph “73.”

74. As to paragraph “74,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “73” with the same force and effect as though the same were set forth herein at length.

75. Deny the allegations in paragraph “75.”

76. Deny the allegations in paragraph “76.”

77. Deny allegations in paragraph “77,” and refer all questions of law to the Court.

78. Deny the allegations in paragraph “78.”

79. Deny the allegations in paragraph “79.”

80. Deny the allegations in paragraph “80.”

81. Deny the allegations in paragraph “81.”

82. Deny the allegations in paragraph “82.”

83. Deny the allegations in paragraph “83.”

84. Deny the allegations in paragraph “84.”

85. Deny the allegations in paragraph “85.”

86. Deny the allegations in paragraph “86.”

87. Deny the allegations in paragraph “87.”

88. As to paragraph “88” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “87” with the same force and effect as though the same were set forth herein at length.

- 89. Deny the allegations in paragraph “89.”
- 90. Deny the allegations in paragraph “90.”
- 91. Deny the allegations in paragraph “91.”
- 92. Deny the allegations in paragraph “92.”
- 93. Deny the allegations in paragraph “93.”
- 94. Deny the allegations in paragraph “94.”
- 95. Deny the allegations in paragraph “95.”
- 96. Deny the allegations in paragraph “96.”
- 97. Deny the allegations in paragraph “97.”
- 98. Deny the allegations in paragraph “98.”
- 99. Deny the allegations in paragraph “99.”
- 100. Deny the allegations in paragraph “100.”

101. As to paragraph “101,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “100” with the same force and effect as though the same were set forth herein at length.

- 102. Deny the allegations in paragraph “102.”
- 103. Deny the allegations in paragraph “103.”
- 104. Deny the allegations in paragraph “104.”
- 105. Deny the allegations in paragraph “105.”
- 106. Deny the allegations in paragraph “106.”
- 107. Deny the allegations in paragraph “107.”

108. As to paragraph “108,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “107” with the same force and effect as though the same were set forth herein at length.

109. Deny the allegations in paragraph “109.”

110. Deny the allegations in paragraph “110.”

111. As to paragraph “111,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “110” with the same force and effect as though the same were set forth herein at length.

112. Deny knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph “112.”

113. Deny the allegations in paragraph “113.”

114. Deny the allegations in paragraph “114.”

115. Deny the allegations in paragraph “115.”

116. Deny the allegations in paragraph “116.”

117. Deny the allegations in paragraph “117.”

118. Deny the allegations in paragraph “118.”

119. Deny the allegations in paragraph “119.”

120. Deny the allegations in paragraph “120.”

121. As to paragraph “121,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “120” with the same force and effect as though the same were set forth herein at length.

122. Deny the allegations in paragraph “122.”

123. Deny the allegations in paragraph “123.”

124. Deny the allegations in paragraph “124.”

125. Deny the allegations in paragraph “125.”

126. As to paragraph “126,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “125” with the same force and effect as though the same were set forth herein at length.

127. Deny the allegations in paragraph “127.”

128. Deny the allegations in paragraph “128.”

129. Deny the allegations in paragraph “129.”

130. Deny the allegations in paragraph “130.”

131. Deny the allegations in paragraph “131.”

132. Deny the allegations in paragraph “132.”

133. Deny the allegations in paragraph “133.”

134. Deny the allegations in paragraph “134.”

135. As to paragraph “135,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “134” with the same force and effect as though the same were set forth herein at length.

136. Deny the allegations in paragraph “136.”

137. Deny the allegations in paragraph “137.”

138. Deny the allegations in paragraph “138.”

139. Deny the allegations in paragraph “139.”

140. Deny the allegations in paragraph “140.”

141. Deny the allegations in paragraph “141.”

142. As to paragraph “142,” Defendants repeat, reiterate and re-alleges their responses to paragraphs “1” through “141” with the same force and effect as though the same were set forth herein at length. Repeat denial shit.

143. Deny the allegations in paragraph “143.”

144. Deny the allegations in paragraph “144.”

145. Deny the allegations in paragraph “145.”

146. Deny the allegations in paragraph “146.”

147. Deny the allegations in paragraph “147.”

148. Deny the allegations in paragraph “148.”

149. Denies and refers all questions of law to the Court.

FOR A FIRST AFFIRMATIVE DEFENSE

150. Plaintiff’s claims are barred in whole or in part by the applicable Statutes of Limitations.

SECOND AFFIRMATIVE DEFENSE

151. Plaintiff’s claims are barred in whole or in part by plaintiff’s failure to plead special damages.

THIRD AFFIRMATIVE DEFENSE

152. Plaintiff’s claims are barred in whole or in part by plaintiff’s unclean hands.

FOURTH AFFIRMATIVE DEFENSE

153. Plaintiff’s claims are barred in whole or in part by the fact that Defendants acted in their own economic self-interest.

FIFTH AFFIRMATIVE DEFENSE

154. Plaintiff's claims are barred in whole or in part by the doctrine of justification.

SIXTH AFFIRMATIVE DEFENSE

155. To the extent that the allegedly defamatory statements are deemed to factual rather than opinion, Defendants assert the affirmative defense.

Dated: New York, New York
October 11, 2024

WARNER & SCHEUERMAN
Attorneys for Defendants
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IME Companions, LLC

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To: All Counsel (Via ECF)